

BOARD OF SELECTMEN
JULY 1, 2013

I. Call to Order/Roll Call

Chairman Alex Vispoli called the Regular Meeting of the Board of Selectmen to order at 6:05 P.M. in the Selectmen's Conference Room at the Town Offices. Present by roll call: Chairman Vispoli-Y, and Selectmen Mary Lyman, Dan Kowalski-Y, and Paul Salafia-Y. Also present Town Manager Reginald S. Stapczynski. The meeting was duly posted and cable-cast live.

II. Executive Session

Chairman Alex Vispoli called the Executive Session to order at 6:06 P.M. in the Selectmen's Conference Room at the Town Offices. On a motion by Paul Salafia and seconded by Dan Kowalski, the Board voted to enter into Executive Session to discuss confidential communications with Town Counsel and Special Town Counsel for legal advice, and to discuss collective bargaining strategy and also litigation strategy. Roll call: Chairman Alex Vispoli-Y and Selectmen Mary Lyman-Y, Dan Kowalski-Y, Paul Salafia-Y, and Brian Major-Y. (Selectman Major was tele-conferenced in). At 6:57 P.M. on a motion by Dan Kowalski and seconded by Mary Lyman, the Board voted to adjourn from Executive Session and move to Open Session, and to return to Executive Session. Roll call: Chairman Alex Vispoli-Y, and Selectmen Dan Kowalski-Y, Mary Lyman-Y, Brian Major-Y, and Paul Salafia-Y.

III. Opening Ceremonies

Chairman Vispoli asked for a Moment of Silence followed by the Pledge of Allegiance.

IV. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

- ~ Andover will celebrate July 4th with fireworks at dusk on July 3rd at the Andover High School Campus. The Annual Firefighters' Pancake Breakfast will be held in The Park the morning of July 4th along with the Horribles' Parade and musical entertainment.
- ~ July is Parks & Recreation Month. The Town Manager encouraged residents to get out and enjoy themselves.

Selectman Lyman thanked the Town Clerk and his staff on the well organized process and turnout at the Special Election on June 25th. She also thanked the Town Clerk for his guidance with the recent alcoholic beverage license violation public hearing. She said she received an email from a resident interested in selling property to the Town for the Town Yard and requested putting the item on a future agenda.

Selectman Kowalski congratulated the team at Pomp's Pond on the installation of the shade structures. He also reported he attended the Trauma Intervention Program graduation ceremonies for six new volunteers and has spoken with Wess Murphy of Andover TV about restoring historic meetings from VHS to online access using an intern funded through a Rotary Club Grant.

Chairman Vispoli pointed out that the Town parking lot signs say 8:00 AM-8:00 PM but the meters say 8:00 AM-6:00 PM and suggested they be synchronized. The Town Manager will follow up on this item.

V. Citizens Petitions & Presentations

John Pasquale, 47B Whittier Street, said construction around the Senior Center and DMS Complex began today and fencing has been installed, however, the area lacks clear direction for driving instructions through the area.

VI. Regular Business of the Board

A. Andover Youth Center

Chris Huntress, Chairman of the Youth Center Building Committee, said the Committee has been meeting regularly with the architect and they have reviewed the construction costs received last week. Mr. Huntress distributed a reconciliation of the construction costs to the Board and reviewed the itemizations. The project is over-budget but they have been looking at areas to reduce costs and are making progress in closing the budget gap. The timeline for the project includes having the construction documents out to bid by August 21st and received by September 19th with the construction bid awarded by September 30th. Construction will begin in October 2013 and be completed by October 2014. Mr. Huntress will report back to the Board of Selectmen in August.

B. Melmark New England

The Board continued their discussion on Melmark New England's request for an Intermunicipal Agreement to provide sewer for their school at 461 River Road. Peter Troy from Melmark has sought legal opinion on the 40B matters of concern and provided that opinion to the Town Manager and Town Counsel. He respectfully requests action on the amendment to the Intermunicipal Agreement. Director of Planning Paul Materazzo provided a presentation of potential developable land in the area and an analysis of hypothetical build-out of 44 single family homes and listed other uses allowed in the Single Residential C District noting the area is serviced by septic. He does not see any major plots of land to be developed for larger developments needed sewer service.

Chairman Vispoli asked if the IMA request could detail that the amendment is for the current Melmark Building with the only additional use to be for the kitchen and bathrooms and whether Melmark is comfortable and agreeable to this request. Mr. Troy said the information is in the amendment which explicitly states the sewer connection is only to be used for the current building, kitchen and bathrooms. Attorney Urbelis confirmed that there cannot be any other building on site attached to the sewer connection, only the added use for kitchen and bathrooms and he will work with Melmark's attorneys to develop the language. Also to be stated in the contract language is that neither Melmark nor Avalon will use this agreement as precedent. The contract language will be drafted by the attorneys and the Board will review and vote on the IMA on Monday, July 8th at 5:15 P.M.

VI. Regular Business of the Board (Cont.)

C. Andover High School Tennis Courts Renovation Project

Selectman Salafia motioned the Board accept a gift from the Friends of Andover Tennis in the amount of \$40,000 to be applied to the AHS Tennis Courts Renovations Project. The motion was seconded by Selectman Kowalski and voted 4-0 to approve. Construction bids for the renovation of the AHS Courts will be going out this summer with construction to begin in the fall.

D. PARC and LAND Grants – Reichhold Property

The Board discussed the PARC and LAND Grant applications that were approved at the 2013 Town Meeting which they are now being asked to authorize the Town Manager to sign. The Board requested the applications be sent to Town Counsel for review and that tonight's motion is to only apply for the grants if that is possible. The Board wants clarity that they review and approve any property purchase. The vote on the PARC and LAND Grants was put on hold until reviewed by Town Counsel.

E. High Plain Road Reconstruction Easement

Selectman Salafia motioned the Board accept and sign an easement for 241 High Plain Road for the reconstruction of High Plain Road at Fish Brook to allow for the additional area needed for drain construction and a sidewalk. The motion was seconded by Selectman Lyman and voted 4-0 to approve.

F. Town Accountant Subcommittee

The Board discussed the staffing of the Finance and Town Accountant Departments with subcommittee members Dan Kowalski and Mary Lyman explaining the process of selecting a new Town Accountant to replace Rod Smith who will retire on or before November 1st. They talked about the job description and the Town Accountant's role as one of the two people who report directly to the Board of Selectmen (the Town Manager being the other) and if this structure should remain. They also talked about the utilization of the Town Accountant's staff and if there should be a matrix reporting structure to the Director of Finance or if it should be left as is. Mary Lyman and Dan Kowalski will meet with the Director of Finance and Town Accountant to discuss the pros and cons of the reporting structure. It was recommended the Board review the Town of Andover Employee Recruitment Policy. Mary Lyman asked Candace Hall, Director of Human Resources, to advertise the Town Accountant position in professional publications and list serves that would be most fruitful. Dan and Mary will provide a final report to the Board on July 15th and the Board will take a position on the reporting structure on July 22nd.

G. Town Manager FY-13 and FY-14 Goals Process

Chairman Vispoli would like to set a timeframe for a review of the Town Manager's FY-13 performance review and to frame goals for FY-14. Selectman Salafia will meet with the Town Manager and report back to the Board. The Board agreed the objective is to facilitate the discussion of FY-14 goals and provide an assessment to develop a draft of the goals within the

month of July.

VII. Consent Agenda

A. Feaster Five Road Race

Selectman Lyman motioned to approve the request of Dave McGillivray, DMSE, Inc., for permission to hold the 26th Annual Feaster Five Road Race on Thanksgiving Day, November 28, 2013, beginning at Brickstone Square. The route and times are the same as the 2012 race. He is also requesting permission to use the park on Balmoral Street for the kids' event. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Salafia and voted 4-0 to approve.

B. Memorial Hall Library Vehicle Night

Selectman Kowalski motioned to approve the request of Terrie L. Floyd, Children's Room at Memorial Hall Library, for permission to close the parking lot behind the Library on Monday, July 29, 2013 from 6:00 P.M. to 7:30 P.M. for their annual Vehicle Night. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Salafia and voted 4-0 to approve.

C. Appointments and Re-Appointments

Selectman Lyman motioned for the appointments by the Town Manager be approved as printed in the agenda. The motion was seconded by Selectman Salafia and voted 4-0 to approve.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>PLANT & FACILITIES DEPARTMENT – Forestry Division</u>			
Justin T. Connors	Tree Climber (v. P. Sanborn)	W5-1/\$49,590	7/8/13
<u>PLANT & FACILITIES DEPARTMENT – Building Division</u>			
Robert Chiampi	Maintenance Electrician – Temp. (D. St. Jean)	W10-1/\$57,775	7/8/13
<u>DEPARTMENT OF PUBLIC WORKS – Highway Division</u>			
Benjamin Cloutier	Equipment Operator I (v. R. Ford)	W3-1/\$46,667	7/2/13
<u>DEPARTMENT OF PUBLIC WORKS – Water Division</u>			
Bridget Morris	Chemistry Lab Intern – Seasonal	\$9.00/hr.	7/2/13
<u>DEPARTMENT OF PUBLIC WORKS – Engineering Division</u>			
Thomas Cross	Civil Engineering Intern – Seasonal	\$13.00/hr.	7/2/13
<u>INFORMATION TECHNOLOGY</u>			
Christopher S. Primes	Student Technology – PT – Temp.	\$10.75/hr.	6/10/13

VII. Consent Agenda (Cont.)

C. Appointments and Re-Appointments (Cont.)

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>COMMUNITY SERVICES</u>			
Matthew P. Conlin	Counselor – PT	C2A/\$8.00/hr.	6/19/13
Amanda N. Holland	Counselor – PT	C2A/\$8.00/hr.	6/24/13
Christopher R. Tully	Counselor – PT	C2A/\$8.00/hr.	6/24/13
Zachery K. Verrette	Counselor – PT	C2A/\$8.00/hr.	6/19/13
Jaclyn M. Long	Counselor – PT	C2A/\$8.00/hr.	6/19/13
Emily M. Connors	Counselor – PT	C2A/\$8.00/hr.	6/19/13
Danielle M. Jacobson	Counselor – PT	C2A/\$8.00/hr.	6/10/13
Sean Furlong	Counselor – PT	C3A/\$8.75/hr.	6/10/13
Daniel R. Harvey	Counselor – PT	C2A/\$8.00/hr.	6/25/13
Emily E. Brownholtz	Counselor 3 – PT	C4C/\$10.00/hr.	7/1/13
Emma J. Bentley	Counselor – PT	C2A/\$8.00/hr.	6/6/13
Savannah G. Deady	Tennis Instructor – PT	C2A/\$8.00/hr.	6/25/13
Kevin H. Heinrich	Lifeguard – PT	C2A/\$8.00/hr.	6/24/13
Joseph A. Vano	Lifeguard – PT	C2A/\$8.00/hr.	6/24/13
Alexandra S. Delyani	Supervisor – Rec Park – PT	C5A/\$10.25/hr.	6/24/13
Jordan M. Janeiro	Concession – PT	C2A/\$8.00/hr.	6/24/13
<u>YOUTH SERVICES</u>			
David Duran	Counselor 1 – PT	C2C/\$8.50/hr.	5/20/13
Ian Wilson	Counselor – PT	C6A/\$11.00/hr.	6/17/13
Courtney Comeau	Counselor 3 – PT	C4C/\$10.00/hr.	7/01/13

CONSERVATION COMMISSION – Term expires 6/30/16

Philip L. Sutherland – (v. F. Fink)

VIII. Approval of Minutes from Previous Meetings

On a motion by Selectman Lyman, seconded by Selectman Kowalski, the Board voted 4-0 to approve the Regular Meeting Minutes of June 3, 2013 and the Special Meeting Minutes of June 10 and June 19, 2013 as presented.

IX. Adjournment

At 8:40 P.M. on a motion by Selectman Kowalski and seconded by Selectman Lyman the Board voted 4-0 to move from Open Session to Executive Session not to return to Open Session. Roll call: Selectman Lyman-Y, Salafia-Y, Vispoli-Y, Kowalski-Y.

Respectfully submitted

Dee DeLorenzo. Recording Secretary

Documents: Andover Youth Center Construction Cost Reconciliation Sheet
Documents relative to Melmark Intermunicipal Agreement
Letter from Acting Plant & Facilities Director regarding funds received from
Friends of Andover Tennis
Documents relative to the Reichhold Grant Applications
Documentation relative to Easement for High Plain Road
Recruitment Process and Schedule for Town Accountant Position